

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

TEVYN NEVADA LEE WILKINS,	:	Case No. 1:21-cv-260
Plaintiff,	:	
	:	Judge Timothy S. Black
vs.	:	
	:	Magistrate Judge Stephanie Bowman
SOUTHERN OHIO CORRECTIONAL	:	
FACILITY, <i>et al.</i> ,	:	
Defendants.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 10); AND
TERMINATING THIS CASE ON THE COURT'S DOCKET**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge submitted a Report and Recommendation on June 2, 2021, recommending dismissal with prejudice of all but Plaintiff's legal-mail claims against Defendants Erdos and Robinson. (Doc. 8). Plaintiff was ordered to submit completed summons and United States Marshals forms for Defendants Erdos and Robinson, within 30 days. (*Id.*) However, Plaintiff failed to comply with the Magistrate Judge's Order. Accordingly, on August 23, 2021, the Magistrate Judge issued an Order to Show Cause, requiring Plaintiff to show cause, in writing, within 15 days, as to why his case should not be dismissed. (Doc. 9). Plaintiff again failed to respond. Therefore, on September 17, 2021, the Magistrate Judge issued a second Report and Recommendation, recommending that this case be dismissed for want of prosecution. (Doc. 10). No

objections were filed to the Report and Recommendation, and the time for doing so has now expired.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the relevant filings in this case. Upon consideration of the foregoing, the Court finds that both Report and Recommendations (Docs. 8, 10) should be and are hereby adopted in their entirety. Accordingly:

1. The Report and Recommendations (Docs. 8, 10) are **ADOPTED**;
2. All claims, but for Plaintiff's legal-mail claims against Defendants Erdos and Robinson are **DISMISSED with prejudice** for failure to state a claim upon which relief may be granted;
3. The remaining legal-mail claims and the above-referenced civil action are hereby **DISMISSED with prejudice** for want of prosecution;
4. The Clerk shall enter judgment accordingly, whereupon this case shall be **TERMINATED** on the docket of this Court; and
5. Pursuant to 28 U.S.C. § 1915(a), the Court certifies that an appeal of this Order would not be taken in good faith and, therefore, this Court **DENIES** Plaintiff leave to appeal *in forma pauperis*.

IT IS SO ORDERED.

Date: 7/5/2022

s/Timothy S. Black
Timothy S. Black
United States District Judge